

Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Diego County Air Pollution Control District" (FRL # 6546-8), received March 3, 2000; to the Committee on Environment and Public Works.

EC-7891. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Joaquin Valley Unified Air Pollution Control District" (FRL #6546-6), received March 3, 2000; to the Committee on Environment and Public Works.

EC-7892. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "180-Day Accumulation Time Under RCRA for Waste Treatment Sludges from the Metal Finishing Industry" (FRL # 6547-6), received March 3, 2000; to the Committee on Environment and Public Works.

EC-7893. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Atlantic Intracoastal Waterway, FL (CGD07-00-008)" (RIN2115-AB47) (2000-0013), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7894. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Frequency of Inspection (USCG-1999-4976)" (RIN2115-AF73) (2000-0002), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7895. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Iowa City, IA; Direct Final Rule; Confirmation of Effective Date; Docket No. 99-ACE-50 [2-29/3-2]" (RIN2120-AA66) (2000-0064), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7896. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Fredrickstown, MO; Direct Final Rule; Confirmation of Effective Date and Confirmation; Docket No. 99-ACE-47 [2-29/3-2]" (RIN2120-AA66) (2000-0062), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7897. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Marshalltown, IA; Direct Final Rule; Confirmation of Effective Date; Docket No. 99-ACE-52 [2-29/3-2]" (RIN2120-AA66) (2000-0063), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7898. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Model Mystere-Falcon Series Airplanes;

Docket No. 98-NM-262 [2-29/3-2]" (RIN2120-AA64) (2000-0122), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7899. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Aerospatiale Model ATR72 Series Airplanes; Docket No. 98-NM-240 [2-28/3-2]" (RIN2120-AA64) (2000-0121), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7900. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada Model 222, 222B, 222U, and 230 Helicopters; Request for Comments; Docket No. 98-SW-77 [2-28/3-2]" (RIN2120-AA64) (2000-0120), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7901. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Model 560 Series Airplanes; Docket No. 98-NM-312 [2-28/3-2]" (RIN 2120-AA64) (2000-0119), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7902. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model DC-9, MD-30, 717-200, and MD-88 Airplanes; Docket No. 2000-NM-58 [2-28/3-2]" (RIN 2120-AA64) (2000-0118), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7903. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 757 Series Airplanes; Docket No. 98-NM-354 [2-29/3-2]" (RIN 2120-AA64) (2000-0123), received March 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC-7904. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Transfer of Real Property at Defense Facilities for Economic Development" (RIN 1901-AA82), received March 2, 2000; to the Committee on Armed Services.

EC-7905. A communication from the Executive Director, Federal Labor Relations Authority transmitting, pursuant to law, the report of a rule entitled "Amendment of Equal Access to Justice Act Attorney Fees Regulations", received March 2, 2000; to the Committee on Governmental Affairs.

EC-7906. A communication from the Legislative Liaison, U.S. Trade and Development Agency transmitting, pursuant to Section 520 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 notification of funding obligations under the Act; to the Committee on Appropriations.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-428. A resolution adopted by the Senate of the Legislature of the State of West

Virginia designating February 21 as "Stand Up for Steel" day; to the Committee on the Judiciary.

#### SENATE RESOLUTION NO. 17

Whereas, The nation's steel industry has been engaged in a crisis involving illegal dumping and subsidizing of foreign steel which has cost the jobs of thousands of steelworkers in the United States; and

Whereas, America has prided itself on its ability to fairly participate in the global marketplace. However, the illegal dumping of foreign steel at reduced prices has caused financial chaos within the American steel industry; and

Whereas, Although progress has been made through the efforts of America's steelworkers and legislatures across the nation, the matter of illegal dumping of foreign steel remains a major matter of contention in our steel industry; and

Whereas, All West Virginians are urged to rise to the cause for the industry that has built this great nation; and

Whereas, The vigilance of our federal legislators and the President of the United States to enforce our U.S. trade laws and halt the illegal dumping and subsidizing of steel in our nation is requested; therefore, be it

*Resolved by the Senate*, That the Senate hereby designates February 21 as "Stand Up for Steel" day at the Senate and calls upon all West Virginians to maintain a vigilance to ensure that the trade laws of our nation are enforced and the illegal dumping of foreign steel in our country is eliminated; and, be it further

*Resolved*, That our nation's leaders are called upon to be vigilant of our U.S. trade laws and to ensure that they are enforced so that such practices as the illegal dumping of foreign steel in our nation is eliminated; and, be it further

*Resolved*, That the Clerk is hereby directed to forward a copy of this resolution to the President of the United States, the United States Senate and the United States House of Representatives.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and second time by unanimous consent, and referred as indicated:

By Mr. MURKOWSKI (for himself, Mr. HATCH, Mr. CRAIG, Mr. CRAPO, Mr. INHOFE, and Mr. SMITH of Oregon):

S. 2184. A bill to amend chapter 3 of title 28, United States Code, to divide the ninth judicial circuit of the United States into two circuits, and for other purposes; read the first time.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2185. A bill to suspend temporarily the duty on Cibacron Red LS-B HC; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2186. A bill to suspend temporarily the duty on Solvent Violet 13; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2187. A bill to suspend temporarily the duty on Cibacron Scarlet LS-26 HC; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2188. A bill to suspend temporarily the duty on Pigment Yellow 191.1; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2189. A bill to suspend temporarily the duty on Pigment Yellow 147; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2190. A bill to suspend temporarily the duty on Solvent Blue 67; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2191. A bill to suspend temporarily the duty on Pigment Yellow 199; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2192. A bill to suspend temporarily the duty on Cibacron Brilliant Blue FN-G; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2193. A bill to suspend temporarily the duty on Pigment Blue 60; to the Committee on Finance.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 2194. A bill to direct the Secretary of the Interior to provide assistance in planning and developing a regional heritage center in Calais, Maine; to the Committee on Energy and Natural Resources.

By Mr. REID:

S. 2195. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Truckee watershed reclamation project for the reclamation and reuse of water; to the Committee on Energy and Natural Resources.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2196. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2197. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. MOYNIHAN:

S. 2198. A bill to provide for the reliquidation of certain entries of vanadium carbides and vanadium carbonitride; to the Committee on Finance.

By Mr. MOYNIHAN:

S. 2199. A bill to suspend temporarily the duty on synthetic quartz or synthetic fused silica; to the Committee on Finance.

By Mr. MOYNIHAN:

S. 2200. A bill to suspend temporarily the duty on N-Cyclopropyl-N'-(1, 1-dimethylethyl)-6-(methylthio)-1, 3, 5-triazine-2, 4-diamine; to the Committee on Finance.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2201. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2202. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 2203. A bill to amend title 26 of the Taxpayer Relief Act of 1986 to allow income averaging for fishermen without negative Alternative Minimum Tax treatment, for the creation of risk management accounts for fishermen and for other purposes; to the Committee on Finance.

By Mr. THURMOND:

S. 2204. To suspend temporarily the duty on high molecular, very high molecular, homopolymer, natural color, virgin polymerized powders; to the Committee on Finance.

By Mr. THURMOND:

S. 2205. To suspend temporarily the duty on Cyclooctene (COE); to the Committee on Finance.

By Mr. THURMOND:

S. 2206. To suspend temporarily the duty on Cyclohexadecadlenel,9 (CHDD); to the Committee on Finance.

By Mr. THURMOND:

S. 2207. To suspend temporarily the duty on Cyclohexadec-8-en-1-one (CHD); to the Committee on Finance.

By Mr. THURMOND:

S. 2208. To suspend temporarily the duty on Neo Heliopan MA (Menthyl Anthranilate); to the Committee on Finance.

By Mr. THURMOND:

S. 2209. To suspend temporarily the duty on 2,6 dichlorotoluene; to the Committee on Finance.

By Mr. THURMOND:

S. 2210. To suspend temporarily the duty on 4-bromo-2-fluoroacetanilide; to the Committee on Finance.

By Mr. THURMOND:

S. 2211. To suspend temporarily the duty on propiophenone; to the Committee on Finance.

By Mr. THURMOND:

S. 2212. To suspend temporarily the duty on metachlorobenzaldehyde; to the Committee on Finance.

By Mr. MACK (for himself and Mr. GRAHAM):

S. 2213. A bill to provide for the liquidation or reliquidation of certain entries in accordance with a final decision of the Department of Commerce under the Tariff Act of 1930; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT (for Mr. MCCAIN (for himself, Mr. HAGEL, Mr. THOMPSON, and Mr. DEWINE)):

S. Res. 266. A resolution designating the month of May every year for the next 5 years as "National Military Appreciation Month"; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (for himself, Mr. HATCH, Mr. CRAIG, Mr. CRAPO, Mr. INHOFE, and Mr. SMITH of Oregon):

S. 2184. A bill to amend chapter 3 of title 28, United States Code, to divide the ninth judicial circuit of the United States into two circuits, and for other purposes; read the first time.

#### THE NINTH CIRCUIT COURT OF APPEALS REORGANIZATION ACT OF 2000

Mr. MURKOWSKI. Mr. President, soon we are going to be debating judicial nominations in this body. I want to take this opportunity to address what I consider a grave problem affecting the administration of justice in our Nation.

I am referring to the unwieldy Ninth Circuit Court of Appeals. Some will prefer the status quo, and I hope after my presentation this morning they will share in the recognition that the Ninth Circuit demands reform. The Ninth Circuit has grown so large and has drifted

so far from prudent legal reasoning, that sweeping change is in order.

Congress has already recognized that change is needed. In 1997, we commissioned a report on structural alternatives for the Federal courts of appeals. The Commission, chaired by former Supreme Court Justice Byron White, found numerous faults within the Ninth Circuit. In its conclusion, the Commission recommended major reforms and a drastic reorganization of the Circuit.

For this reason, I, along with my distinguished colleague from Washington, Senator SLADE GORTON, introduced S. 253, the Federal Ninth Circuit Reorganization Act of 1999, which would in effectuate the recommendations of the White commission.

The bill would reorganize the Ninth Circuit into three regional divisions, designed as the northern, middle, and southern divisions, and a nonregional circuit division. Ideally, a more cohesive judicial body would emerge—one that reflects the community it serves, and holds a greater master of applicable, but unique, state law and state issues.

Some in this body were not too happy with the divisional realignment. Perhaps a more direct and simplified solution to the problems of the Ninth Circuit is in order. For this reason, I, along with my colleague, Senator HATCH of Utah, introduced a new bill this morning, the Ninth Circuit Court of Appeals Reorganization Act of 2000. We are joined by Senator CRAIG, Senator CRAPO, Senator INHOFE, and Senator SMITH of Oregon.

This bill will divide the Ninth Circuit into two independent circuits. The new Ninth Circuit would contain Arizona, California, and Nevada. A new Twelfth Circuit would be composed of Alaska, Hawaii, Idaho, Montana, Oregon, Washington, Guam, and the Northern Mariana Islands. Immediately upon enactment, the concerns of the White Commission will be addressed, and a more cohesive, efficient, and predictable judiciary will emerge.

In this debate, let us not forget why change is in order. The Ninth Circuit extends from the Arctic Circle to the Mexican border. It spans the tropics of Hawaii and across the International Dateline to Guam and the Mariana Islands. Encompassing some 14 million square miles, the Ninth Circuit, by any means of measure, is the largest of all our U.S. courts of appeal. It is larger than the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Circuits combined.

Let me refer to chart one because I think it makes the point that the Ninth Circuit serves a population of more than 50 million, almost 60 percent more than are served by the next largest circuit court. By the year 2010, the Census Bureau estimates the Ninth Circuit population will be more than 63 million. Mind you, it is now 50 million—63 million. That is an increase of 26 percent in just 10 years.